

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLAUDE BOLING,

Plaintiff,

CIVIL ACTION NO. 06-13302

vs.

DISTRICT JUDGE PAUL V. GADOLA
MAGISTRATE JUDGE DONALD A. SCHEER

MICHAEL J. BOUCHARD,
OAKLAND COUNTY SHERIFF
DEPARTMENT, and
OFFICER SPIKER,

Defendants

ORDER DENYING PLAINTIFF'S MOTION TO FILE AMENDED COMPLAINT

Plaintiff filed the instant prisoner civil rights action, pursuant to 42 U.S.C. § 1983, on July 21, 2006, alleging that upon his admittance to the Oakland County Jail as a pretrial detainee in March 2005, he was subjected to conditions of confinement that constituted cruel and unusual punishment in violation of Eighth and Fourteenth Amendment guarantees. Following Defendants' Motion for Summary Judgment and a response thereto, Plaintiff sought leave to file an Amended Complaint on February 26, 2007, in order to provide the court with more specific instances of the types of "inhumane conditions" he was subjected to while detained at the Oakland County Jail. Since Plaintiff's proposed Amended Complaint has not alleged or established a wanton and reckless disregard of a substantial risk of harm to his health or safety by a specific prison official, the motion to file an Amended Complaint is DENIED.

SO ORDERED.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: March 30, 2007

CERTIFICATE OF SERVICE

I hereby certify on March 30, 2007 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on March 30, 2007. **Claude Boling**.

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217